

-1-

Docket: 0801-14

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled: PEPTIDES FOR INHIBITION OF APOPTOSIS AND PHARMACEUTICAL COMPOSITIONS CONTAINING THEM, the specification of which is attached hereto unless the following box is checked:

☐ The specification was filed on _____
and was assigned Serial No. _____
(if known)
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows:

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and checked as right:

Prior Foreign Application(s) (Number)	(Country)	(Month/Day/Year Filed)	Priority Claimed	
			Yes	No
123,429	Israel	February 24, 1998	X	
PCT/IL99/00086	PCT	February 16, 1999		

All foreign applications, if any, for any Patent or Inventor's Certificate filed more than 12 months prior to the filing date of this application:

Country	Application No.	Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35, United States Code, §119(e) or §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations,

Docket: 0801-14

-2-

\$1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status: patented, pending, abandoned

I hereby appoint the following attorneys to prosecute this application and/or any international application and to transact all business in the Patent and Trademark Office connected therewith:

Daniel W. Sibley, (Reg. No. 20,932)
 Charles M. Leedom, Jr. (Reg. No. 26,477)
 David S. Safran (Reg. No. 27,997)
 Donald E. Studebaker (Reg. No. 32,815)
 Tim L. Brackett (Reg. No. 36,092)
 Corinne R. Goraki (Reg. No. 34,339)

Stuart J. Friedman (Reg. No. 24,312)
 Gerald J. Ferguson, Jr. (Reg. No. 23,016)
 Thomas W. Cole (Reg. No. 28,290)
 Jeffrey L. Costella (Reg. No. 33,483)
 Eric J. Robinson (Reg. No. 38,285)
 Daniel S. Song (Reg. No. 43,143)

Send Correspondence to:

Jeffrey L. Costella
 NIXON PRABOY, LLP
 8180 Greensboro Drive, Suite 800
 McLean, Virginia 22102
 Telephone: (703) 790-9110

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorize any U.S. attorney or agent named herein to accept and follow instructions from _____ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys or agents named herein will be so notified by the undersigned.

FULL NAME OF SOLE OR FIRST INVENTOR Itan ZIV	INVENTOR'S SIGNATURE <i>Itan Ziv</i>	DATE August 22, 2000
RESIDENCE (City, State & Country) Kfar-Sava, Israel		CITIZENSHIP Israeli
POST OFFICE ADDRESS (Complete Address including City, State & Country) Sheizaf Street 5, 44418 Kfar-Sava Israel		
FULL NAME OF SECOND JOINT INVENTOR (if any) Anat SHIRVAN	INVENTOR'S SIGNATURE <i>Anat Shirvan</i>	DATE 8/22/00
RESIDENCE (City, State & Country) Herzliya, Israel		CITIZENSHIP Israeli
POST OFFICE ADDRESS (Complete Address including City, State & Country) Habsor Street 3, 46328 Herzliya, Israel		

**VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(c))
SMALL BUSINESS CONCERN**

**NIXON PEASODY LLP
United States Patent Rights**

ATTORNEY DOCKET NO. 0801-14

Applicant or Patentee: Ilan ZIV and Anat SHIRVAN

Serial or Patent No: _____

Filed or issued: _____

For: _____

PEPTIDES FOR INHIBITION OF APOPTOSIS AND PHARMACEUTICAL
COMPOSITIONS CONTAINING THEM

I hereby declare that I am

- ☐ the owner of the small business concern identified below.
☐ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN
ADDRESS OF CONCERN

N S T NeuroSurvival Technologies Ltd.

Ordem Street 7

49170 Petach Tikva, ISRAEL

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-16, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PEPTIDES FOR INHIBITION OF APOPTOSIS AND PHARMACEUTICAL COMPOSITIONS CONTAINING THEM, by inventors Ilan ZIV and Anat SHIRVAN, described in

- ☒ the specification filed herewith
☐ Application Serial No. _____, filed _____
☐ Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

-2-

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

ADDRESS OF PERSON SIGNING: _____

DATE: _____

Table 1

Year	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100																																																												
GDP	100	105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200	205	210	215	220	225	230	235	240	245	250	255	260	265	270	275	280	285	290	295	300	305	310	315	320	325	330	335	340	345	350	355	360	365	370	375	380	385	390	395	400	405	410	415	420	425	430	435	440	445	450	455	460	465	470	475	480	485	490	495	500	505	510	515	520	525	530	535	540	545	550	555	560	565	570	575	580	585	590	595	600	605	610	615	620	625	630	635	640	645	650	655	660	665	670	675	680	685	690	695	700	705	710	715	720	725	730	735	740	745	750	755	760	765	770	775	780	785	790	795	800	805	810	815	820	825	830	835	840	845	850	855	860	865	870	875	880	885	890	895	900	905	910	915	920	925	930	935	940	945	950	955	960	965	970	975	980	985	990	995	1000